

**THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

KAREN WILLIAMS,

Plaintiff,

vs.

Case No. _____

MIDLAND CREDIT
MANAGEMENT, INC.,

Honorable _____

Defendant.

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NOTICE OF REMOVAL

Defendant Midland Credit Management, Inc. ("Midland") hereby gives notice that this action is removed from the 37th Judicial District Court, State of Michigan to the United States District Court for the Eastern District of Michigan, pursuant to 28 U.S.C. §§ 1441 and 1446. In support, and for the purpose of removal only, Midland states as follows:

1. On or around December 17, 2014, Plaintiff Karen Williams commenced this action against Defendant Midland Credit Management, Inc. (“Midland”) in the 37th Judicial District Court, State of Michigan, Case No. 14-4301GC. Midland was served via certified mail on January 19, 2015. Plaintiff alleged that Midland violated the federal Fair Debt Collection Practices Act (“FDCPA”), 15 U.S.C. §§1692 *et seq.*, the Michigan Occupational Code, M.C.L. 339.901(b) and the Michigan Collection Practices Act (“MCPA”), M.C.L. § 445.21 and demands damages in the total amount of less than \$25,000. All process, pleadings, and orders are attached as Exhibit A.

2. This case is a civil action of which this Court has original federal question jurisdiction pursuant to 28 U.S.C. § 1331, because Plaintiff’s Complaint purports to assert claims against Midland arising out of the FDCPA.

3. This Court has supplemental jurisdiction over the remaining claims pursuant to 28 U.S.C. § 1367, because they are so related to the federal claims set forth in the Complaint that they form part of the same case or controversy.

4. Midland is within the 30 days to remove, which is allowable under Section 1441. *See* 28 U.S.C. § 1446. The 30-day period for removal runs from the service of the summons on the defendant. *Murphy Bros. v. Michetti Pipe Stringing, Inc.*, 526 U.S. 344 (1999).

5. The 37th Judicial District Court is located in the Eastern District of Michigan, Southern Division. *See* 28 U.S.C. § 1441(a).

6. A Notice of Filing Notice of Removal and a copy of this Notice of Removal are being filed with the 37th Judicial District Court as required by 28 U.S.C. § 1446(d) and copies of the same have been served upon Plaintiff, which is evidenced by the attached proof of service.

WHEREFORE, Midland Credit Management, Inc., by counsel, removes the subject action from the 37th Judicial District Court, State of Michigan to the United States District Court for the Eastern District of Michigan.

Respectfully submitted,

DYKEMA GOSSETT, PLLC

Dated: February 13, 2015

By: /s/ Aaron L. Vorce

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CERTIFICATE OF SERVICE

I hereby certify that on February 13, 2015, I electronically filed the foregoing document with the Clerk of the Court using the ECF system, and that a copy has been served via United States First Class Mail, with postage prepaid, upon:

Gary D. Nitzkin
Travis L. Shacelford
22142 W. Nine Mile Rd.
Southfield, MI 48033

Clerk of the Court
37th Judicial District
8300 Common Rd.
Warren, MI 48093

/s/ Aaron L. Vorce
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